IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

REVIEW PETITION NO.4 OF 2007
IN
WRIT PETITION NO.2705 OF 2004

Standard Batteries Employees' Union
and Anr. ..Petitioners.

Vs.

The Standard Batteries Ltd. ..Respondent.

...

Mr. R.D. Bhat for the Petitioners.

Mr. S.K. Talsania, Senior Advocate i/b Udwadia & Udeshi for the Respondent.

...

CORAM: **DR. D.Y. CHANDRACHUD, J.**

8th March, 2007.

P.C. :

1. The ground which has been urged in the Review Petition in the course of the submissions before the Court is that it is the contention of the union, the Review Petitioner before the Court that the management has not complied with the terms of the settlement. Counsel appearing for the Review Petitioner, while drawing the attention of the Court to the observations contained in paragraph 4 of the judgment submitted that the observations should not be construed to preclude the Petitioners from urging their contentions

before the Industrial Court. On the other hand, it has been urged on behalf of the management that the observations in paragraph 4 of the judgment are clear and it is evident that the Court has specifically clarified that no observation has been made by the Court on the question as to whether the revision applications that are pending before the Industrial Court should be disposed of in terms of the settlement dated 23rd October, 2000 since that is a matter for the Industrial Court to consider.

2. In paragraph 4 of the order of this Court dated 6th November, 2006 this Court has clarified that no observation has been expressed on the merits of the question as to whether the revision application should be disposed of in terms of the settlement dated 23rd October, 2000 since that is a matter for the Industrial Court to consider. Consequently, the order of this Court does not and cannot be construed to amount to any expression of opinion on merits of the said question which has expressly been kept open. It would be open to the Petitioners to raise all appropriate submissions before the Industrial Court. Counsel appearing for the Petitioners has stated before the Court that the aforesaid clarification would allay the apprehension of the

Petitioners. Since no other point has been pressed, the Review Petition is disposed of.